

THE HON'BLE SRI JUSTICE V.ESWARAIAH

Writ Petition No.9350 of 2005

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Dated 11-11-2005

Between:

K.Jayaraj,

S/o late K.Bheemachary,

Aged about 57 years,

Occ: Ex-Foreman, Secunderabad Cantonment,

R/o 2-21-220, Akbar Road, Sanjeevaiah Nagar,

Sikh village, Secunderabad .. Petitioner

and

The Defence Secretary,

Ministry of Defence, Government of India,

101, south Block, Defence Head Quarter,

New Delhi and two others .. Respondents

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ORDER:

Petitioner submits that he has made a representation on 16-10-2004 before the respondents 1 and 2 requesting them to conduct an enquiry against the third respondent in respect of issuance of the proceedings of the Board meeting, dated 30-08-1997, with reference to items 13 to 18, which was made without there being

discussion with elected members of the Board. As a result of which, the said Executive Officer misused the power fixing the entire mischief done by the then Executive Officers, who were five in number, worked from 1990 to 1997 against the petitioner alone. Whereas, the Central Government ordered a detailed departmental enquiry against the said E.Os. and the same is pending.

If any action is taken against the petitioner, it is always open to him to question the same in the appropriate proceedings, but after lapse of four years he cannot make a representation, said to have been made on 16-10-2004, with regard to the alleged irregularities, said to have been committed during 1997 to 2000. Therefore, I am of the opinion that the petitioner is not entitled to any relief directing the respondents to consider his belated representation, dated 16-10-2004.

Accordingly, the Writ Petition is dismissed. No order as to costs.

V.ESWARAIAH, J.

11th November, 2005.

skmr